

REMARKS

This Amendment is in response to the Office Action mailed February 27, 2007. Claims 1, 3-12, 14-23, and 25-33 were pending. In this response, claims 1, 12, 23, and 27 have been amended. Claims 3, 14, and 25 have been cancelled. No claims have been added. Thus, claims 1, 4-12, 15-23, and 26-33 remain pending. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Rejection Under 35 U.S.C. § 103

The Examiner rejects claims 1, 3, 7-10, 27 and 31-33 under 35 U.S.C. § 103(a) as being unpatentable over Sofer, et al. (U.S. 6,920,487) in view of Wang, et al. (U.S. 5,365,520) and further in view of Larsson (U.S. 6,304,757). The applicants respectfully disagree with the rejection because the references, alone or in combination, do not disclose each and every element of the invention as claimed in claims 1, 3, 7-10, 27, and 31-33.

Sofer describes a method and system for routing a phone call based upon a "short code" to a service provider (Sofer, Column 3, lines 11-22). For example, when a user enters a code, such as "8472" for VISA, the short code is matched with VISA's phone number in a database (Sofer, Column 6, lines 6-34). The user's phone call is then routed to VISA using VISA's phone number. When a user is roaming, a short code may collide with an identical short code that points to a different number (Sofer, column 6, liners 36-42). In this case, either a default routing choice is used to route the call, or a user may interactively choose which route the call will take (Sofer, column 6, liners 36-42). In either case, a user's connection is maintained so that an active call can eventually be routed by the system of Sofer to its destination.

Wang describes routing device communication through a constellation of satellites, utilizing specific message packets (Wang, Column 5, lines 35-59). The communications system

described by Wang is packet based, where each packet includes pieces of information such as location of message receiver, location of message sender, characterization of the content, and content (Wang, Figures 6-9; Column 12, lines 12-35). The packets described by Wang merely illustrate the format of packet based data transmission.

Larsson describes updating a database with a current location of a subscriber device by placing a call to a phone system (Larsson, Column 8, lines 45-60). However, to avoid incurring a charge for providing an information update, the call is noted by a telephone exchange without answering the call (Larsson, Column 8, Lines 53-57).

Claim 1, as amended, recites:

A method comprising:
receiving a call of a service dialed number from a mobile device;
determining, from the call, a subscriber identifier;
terminating the call upon receipt of the service dialed number, and prior to the call being answered;
upon the call being terminated, selecting a response to the call based upon the service dialed number, the service dialed number containing at least a first segment and a second segment, the first segment representing a unique code used by the mobile operator to route the call and the second segment representing a unique code that identifies the service; and
initiating a dialog between a server and the mobile device based on the selected response and the determined subscriber identifier.

That is, a call to a service dialed number is received, and a subscriber identifier is determined from the call. The call is then terminated before it is answered. Upon the call being terminated, a response is selected to address the particular service dialed number, at which point a dialog between a server and the initial mobile device is initiated. The dialog, which is initiated after the termination of the call, is based on the selected response and the determined subscriber identification. The Applicants respectfully submit that the references, alone or in combination, fail to teach or suggest the features as claimed in amended claim 1.

Wang describes routing signals along a dynamic route to maintain device-to-device communication in a satellite constellation (Wang, Abstract). Sofer describes receiving a call from a mobile device. Then during the connection a short code is received which routes the call to an appropriate service provider. However, both Wang and Sofer are silent as to performing any actions after a call has been terminated (See Office Action, mailed February 27, 2007, page 3). Larsson describes receiving a call at a telephone exchange unit, to notify the unit that a particular mobile device has entered the unit's geographical area. The unit records the geographical location of the incoming call and then inserts the call in a queue (Larsson, column 8, line 45 to column 9, line 13). However, Larsson also fails to describe initiating any dialog between a server and a mobile device after a call has been terminated. Therefore, none of the references provide for initiating any kind of dialog between a mobile device and a server after both receiving and then terminating a call. Furthermore, because none of the reference describe initiating a dialog after a call has been terminated, the reference are silent as to how such a dialog would be initiated.

For sake of argument, if a combination of Sofer, Wang, and Larson did describe performing some actions after a call has been terminated, none of the references would disclose that "initiating a dialog between a server and the mobile device based on the selected response and the determined subscriber identifier" after a call has been terminated. Larsson describes terminating a call after it has registered with a telephone exchange unit, and the incoming call placed in a queue (Larsson, column 8, line 45 to column 9, line 13). Wang describes maintaining calls during call routing (Wang Abstract). Sofer describes resolving errors when a shortcode is not recognized, a dialed shortode collides with another shortcode, or a network is not recognized (Sofer, Figure 6). When such an error occurs Sofer initiates the dialog noted by the Examiner

(See, Office Action, mailed February 27, 2007). Thus, any dialog initiated by Sofer is in response to a dialed shortcode, and not “initiating a dialog between a server and the mobile device based on the selected response and the determined subscriber identifier” as claimed by the Applicants.

Therefore, for at least the reasons set forth above, the Applicants respectfully submit that Sofer, Wang, and Larsson, alone or in combination, fail to describe or suggest each and every feature claimed by the Applicants, and thus fail to render claim 1 obvious.

Applicants respectfully submit that all applicable rejections to independent claim 1, as amended, have been overcome and request withdrawal of the rejections under § 103.

Furthermore, independent claim 27, as amended, includes similar features and limitations to those discussed above with respect to claim 1. Thus, for similar reasons, the Applicants respectfully request withdrawal of the rejections of claim 27. Dependent claims 7-10 depend from claim 1, and include additional features and limitations, thus for similar reasons to those advanced above with respect to claim 1, the Applicants request withdrawal of the rejections of claims 7-10. Dependent claims 31-33 depend from claim 27, and include additional features and limitations, thus for similar reasons to those advanced above with respect to claim 27, the Applicants request withdrawal of the rejections of claims 31-33. The Applicants respectfully submit that for at least the reasons discussed above, claims 1, 7-10, 27, and 31-33 are now in condition for allowance and such action is earnestly solicited.

The Examiner rejects claims 4, 5, 12, 14-21, 23, 25, 26, 28 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Sofer, in view of Wang, further in view of Mehta, et al. (U.S. 2002/0131404 A1) and further in view of Larsson (U.S. 6,304,757).

The Examiner rejected claims 4, 5, 12, 14-21, 23, 25, 26, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang, and further in view of Larsson, and further in view of U.S. Patent App. Pub. No. 2002/0131404 of Mehta et al. (hereinafter "Mehta"). Independent claims 12 and 23 have been amended similarly to independent claims 1 and 27. Thus, for similar reasons to those discussed above, Sofer, Wang, and Larsson fail to describe or suggest initiating a dialog after receiving and terminating a call, as claimed in claims 12 and 23. Furthermore, Mehta describes allowing a mobile device user to specify a Universal Resource Locator of a file to be downloaded to a mobile device (Mehta, paragraph 0064). After a subscriber of a network receives a notification that an update is available, the subscriber can request updated software for his or her mobile device. If the subscriber's user profile accompanying the current request is verified, the subscriber is provided with the updated software (Mehta, paragraphs 0110, 0138). However, merely verifying a user profile and supplying requested software to a mobile device fails to describe or suggest initiating a dialog between a server and a mobile device upon receipt of a service dialed number and after the call has been terminated. Therefore, Sofer, Wang, and Mehta, alone or in combination, fail to describe or suggest each and every limitation of independent claims 12 and 23. Furthermore, since dependent claims 4, 5, 15-21, 26, 28, and 29 dependent from one of independent claims 1, 12, 23, and 27, dependent claims 4, 5, 15-21, 26, 28, and 29 are also not rendered obvious by Sofer in view of Wang, and further in view of Mehta. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 4, 5, 12, 15-21, 23, 26, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over Sofer, in view of Wang, further in view of Mehta, et al. and further in view of Larsson.

The Examiner rejected claims 6, 17, and 30 under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang, and further in view of Mehta, and further in view of Larsson. As discussed above, with respect to independent claims 1, 12, and 27, from which claims 6, 17, and 30 depend, none of the references, alone or in combination, describe or suggest each and every feature as claimed by the Applicants in claims 1, 12, and 27. Since claims 6, 17, and 30 include additional features and limitations, claims 6, 17, and 30 are also not rendered obvious by the references. Applicants respectfully request that the Examiner withdraw the rejection of claims 6, 17 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Sofer, in view of Wang, further in view of Mehta, and further in view of Larsson.

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang, and further in view of U.S. Patent No. 6,751,454 of Thornton (hereinafter "Thornton"). The Examiner rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Sofer in view of Wang in view of Mehta, and further in view of Thornton. As discussed above, with respect to independent claim 1, neither Sofer nor Wang, alone or in combination, describe or suggest initiating a dialog between a mobile device and a server after both receiving and terminating a from the mobile device. Similarly, as discussed above, with respect to independent claim 12, Sofer, Wang, and Mehta similarly fail to describe the limitations of claim 12. Thornton describes sampling multimedia objects on a cell phone according to the instructions of various servers (Thornton, Abstract). However, a mobile device which performs operations according to the direction of a server fails to describe or suggest initiating a dialog between a mobile device and a server after both receiving and terminating a from the mobile device, as claimed in independent claim 1, and as similarly claimed in independent claim 12. Thus, Sofer, Wang, and Thornton, alone or in combination, fail to

describe or suggest each and every element of claim 1. Since claim 11 depends from claim 1, and includes additional features and limitations, claim 11 is also not rendered obvious by the combination of Sofer, Wang, and Thornton. Furthermore, Sofer, Wang, Mehta, and Thornton, alone or in combination, also fail to describe or suggest each and every element of claim 12, from which dependent claim 22 depends. Thus, claim 22 is also not rendered obvious by Sofer, Wang, Mehta, and Thornton. The Applicants respectfully request withdrawal of the rejections of claims 11 and 22.

Conclusion


Applicant reserves all rights with respect to the applicability of the doctrine of equivalents. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Authorization for Extension of Time, All Replies

Authorization is given to treat any concurrent or future reply, requiring a petition for an extension of time under 37 CFR 1.136(a) for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. If any other petition is necessary for consideration of this paper, it is hereby so petitioned. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such deposit account.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 5/29/07



Michael J. Mallie
Attorney for Applicant
(Reg. No. 36,591)

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commission for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

on May 29, 2007
Date of Deposit
Angela M. Quinn
Name of Person Mailing Correspondence
[Signature] 5-29-07
Signature Date